

AGENDA

INSOLVENCY LAW COMMITTEE

July 25, 2003

9:00 a.m. to 12:00 p.m.

- 1. Approval of Minutes: July 25, 2003**
- 2. Announcement of Confirmation of ILC Secretary for 2003: Paul Pascuzzi**
- 3. Discussion of Videoconferenced Meeting: Pro's, Con's and Suggestions for Improvement, number to set next year, discussion of locations and number of meetings with required personal attendance.**
- 4. Discussion of Membership Issues**
 - A. Ex Comm approved our new slate: Howard Kollitz, Eve Karasik, Peter Munoz, Michael Koch, Liz Berke-Dreyfuss, Brian Davidoff, and Donna Parkinson.**
 - B. Approval of 25th Member Granted By Ex Comm.**
 - C. Consideration of New Application Received: Stewart Chambers**
 - D. Invitation for New Members to attend October Meeting, shift in terms (month and year), and possible invites to next year's September meeting.**
- 5. Subcommittee Organization: Legislation, Education, Publications, and Constituency/Outreach/Website**
 - A. Review of Subcommittee Membership Matrix, Opportunity to Revise**
 - B. Discussion of Subcommittee Members' Duties**
 - C. Election of sub-committee vice-chairs**
 - D. Possible Inclusion of Subcommittee Task List On Website**
- 6. Programs and First Report From Education Subcommittee**
 - A. Welcome to Radmila Fulton as Liaison To Programs and Publications Committee and Review of Position of Programs and Publications re: Ex Comm. Discussion of whether duties require separate liaison for publications (and she did not ask for help either).**
 - B. State Bar Annual Meeting, September 4-7, 2003, Los Angeles, CA and report on Bankruptcy/Family Law sign ups and program result (Radmila Fulton and Judy Gibbs)**
 - C. Winter SEI, Santa Monica, CA, January, 23-25, 2004 and Bankruptcy 101 Report (Geraldine Valdez and Peter Bronson)**
 - 1. Deadlines:**
 - a. Program Planning Form due 9/23/03**

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- b. Speaker Identification/Notification Form due 10/31/03
- c. Materials, Recording A/V Request Form due 12/13/03

D. State Bar 2004 Spring Meeting, Newport Beach, CA, May 14-16, 2004

- i. Report on Deadlines (Radmila Fulton, Rob Harris)
 - a. Deadline for Submitting Program Topic For Spring Meeting
ALERT: October 20, 2003!
 - b. Program Planning Form due when? (Help, Radmila!)
 - c. Speaker Identification/Notification Form due when? (ditto)
 - d. Materials, Recording A/V Request Form due ? (see above)
- ii. Consideration of Possible Programs and Reports From Potential Program Presenters On Status:
 - a. When Fraud is an Element of a Bankruptcy Case Sandy Lavignia and Tracy Schweitzer
 - b. Asset Sales For Non-Bankruptcy Lawyers Mark Porter
- iii. Call for Volunteers To Assist Mark Porter With Asset Program (even though he won't be at the meeting)
- iv. Discussion of Other Possible Programs For Spring Meeting.
 - a. Bankruptcy From the Banker's Perspective: Insurance, Recoveries, and Property of the Estate
 - b. Bankruptcy Abuse Reform Fiasco
- v. September, 2004 Annual Meeting: ALERT - January, 2004 Deadline For Submitting Program Information

7. Website Report and Constituency Outreach Project and First Report From Constituency/Outreach/Website Subcommittee

A. Continuing Reports On Status of Obtaining of Email Lists, Reciprocal Program Advertisements for Particular Areas

- i. San Diego Radmila Fulton - Completed.
- ii. Beverly Hills Peter Bronson - Names Continuing To Be Received?
- iii. Los Angeles Sandy Lavignia - Status of Draft

Message For Newsletter; cost of
renting list for sending?

- iv. San Francisco Mark Porter - Report on if letter is possible to send per Franklin/Bronson approach.
- v. Alameda and Contra Costa Eric Nyberg - Report on status.
- vi. Sacramento and ABI Lynn Ernce - Report On Responses
- vii. Central California Cliff Stevens - Status of email solicitation?
- viii. Santa Rosa Bob Franklin - Completed.
- ix. South Bay Rob Harris - Email to SCCBA and Update on status of Bar Directory Sorting.

B. Review of report on status of website, content (Geraldine Valdez and Mike Buckley) and discussion of revisions of same.

C. Status of Migration of BLS Website To State of California Site

D. Discussion of Current Website content and updating to list upcoming meetings, educational programs and Congressional matters re: B.A.R.F.

8. Progress Reports on Current Projects and First Report From Legislation Subcommittee

A. AB 182 - Status of Bill To Index California Exemptions From Judgment/Bankruptcy Opt-Out Exemptions To Inflation (Rob Harris)

B. Status of Badges of Fraud A.L.P.- Discussion of ALP drafted (Dan Schechter, Judy Gibbs, Rob Harris)

9. New Projects

A. Report On Partnership Law Committee ALP (Rob Harris, Peter Bronson)

B. Updated Model Real Estate Order - Creation of Instructions for Use and Findings (Paul Pascuzzi and Judy Gibbs)

C. Continued discussion of C.C.P. 697.530 and the problem perfecting a lien upon the assets of a foreign corporation in California (Ben Murphy, Rob Harris) - volunteers to run with project and write an ALP in 2003-2004 Term.

- D. Continuing Discussion of HR 975
 - i. Possible Areas for ILC Amendments (Chapter 11 Dismissal, Lease Extensions), drafting responsibilities and further discussions regarding strategy and allies, ABA Position On Attorney Liability and Venue (Rob Harris)
 - ii. Volunteers to Assist In Drafting ALP for 2003-2004 term and Legislative Comment on Attorney Liability Amendment.
- E. Continuing discussion of C.C.P. §708.110 *et al.* Secret Liens and Registering the same (Peter Bronson, Lisa Fenning).
- 10. Publications and First Report From Publications Subcommittee
 - A. MANDATORY: Article for Summer Issue of Business Law News (draft due 6/1/04, final due 7/15/04) - topics and volunteers for single article requirement.
 - B. MANDATORY: California Legislative Bulletin Annual Report/Annual Report To Ex Comm - report of committee activities over past year with emphasis on legislative activities (ALP's and comments), and statement of current and planned activities. Discussion Draft to be included in materials (Rob Harris).
 - C. OPTIONAL: Annual Review - Initial Draft due December 15, 2003, Final draft due January 31, 2004, Intended publication date March 1, 2003.
- 11. Legislation Subcommittee's New Bill Report
 - A. State Bills
 - B. Federal Bills
 - i. S 832: bill to amend preference and fraudulent conveyance provisions of the Bankruptcy Code (Paul Pascuzzi and Mark Porter)
 - ii. HR 2: bill re: privatization of IRS collections (Paul Pascuzzi)
 - iii. HR 2120: bill re: netting provisions that were included in the B.A.R.F. (Paul Pascuzzi)
 - C. Efforts To Abolish State Bulk Sales Laws and comment on materials (Dan Schechter): should ILC jointly sponsor an ALP with UCC Committee?
- 12. Other New Business
- 13. Thanks to departing ILC members Kathy Phelps, Tom Phinney, Eric Nyberg, Judy Gibbs, Ben Murphy, and Tracy Schweitzer, and Rob Harris (though you won't really be rid of me).
- 14. Adjournment

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